

FILED

March 28, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BY: _____ PT
DEPUTY

SARA HERRERA,

Plaintiff,

V.

HEB,

Defendant.

CIVIL NO. SA:22-CV-01315-OLG

ORDER

Before the Court is the Report and Recommendation (R&R) of United States Magistrate Judge Richard B. Farrer. (Dkt. No. 14.) The R&R recommends that Plaintiff Sara Herrera's Amended Complaint (Dkt. No. 13) be dismissed as frivolous and for failure to state a claim on which relief may be granted. (*Id.*) See 28 U.S.C. § 1915(e)(2)(B). Herrera was served with a copy of the R&R and timely filed her objections. (See Dkt. No. 17.)

When a party objects to a magistrate judge's recommendation, the Court must make a de novo determination as to those portions of the recommendation to which an objection is made. *U.S. v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Frivolous, conclusive, or general objections, however, need not be considered by the district court. *Battle v. U.S. Parole Com'n*, 834 F.2d 419, 421 (5th Cir. 1987). Here, Herrera fails to present, and the Court cannot discern, any specific objection to the matters addressed in the R&R. (*See* Dkt. No. 17.) Nevertheless, the Court has conducted an independent review of the recommendation, the record, and the applicable law and finds that the R&R is in all things correct and should be accepted.

It is therefore **ORDERED** that Magistrate Judge Farrer's Report and Recommendation (Dkt. No. 14) is **ACCEPTED**.

It is further **ORDERED** that Plaintiff Sara Herrera's Amended Complaint (Dkt. No. 13) is **DISMISSED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 28th day of March, 2023.

A handwritten signature in blue ink, appearing to read 'Orlando L. Garcia', written over a horizontal line.

ORLANDO L. GARCIA
United States District Judge